

Message Text

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TAGS: PGOV, MX, US

SUBJECT: PRESIDENT'S MESSAGE TO CONGRESS ON UNDOCUMENTED
ALIENS

REF: STATE 182185

1. PRESIDENT CARTER ANNOUNCED AT AUGUST 4 PRESS CONFERENCE THAT HE WAS PROPOSING A SET OF ACTIONS TO CONGRESS (SEE REFTEL) TO DEAL WITH THE INCREASING FLOW OF UNDOCUMENTED ALIENS INTO THE U.S. PRESIDENT HOPES FOR SPEEDY ACTION. LEGISLATION WILL BE INTRODUCED BY RODINO IN HOUSE AND EASTLAND AND KENNEDY IN SENATE. EILBERG HAS PROMISED TO HOLD PROMPT HEARINGS.

2. AFTER PRESIDENT'S ANNOUNCEMENT ATTORNEY GENERAL BELL, SECRETARY OF LABOR MARSHALL, INS COMMISSIONER CASTILLO, AND LEGAL ADVISER HANSELL ANSWERED REPORTERS' QUESTIONS.

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HANSELL RESPONDED TO QUESTION ABOUT GOM REACTION TO PROPOSALS SAYING THAT BASIC CONCERN OF GOM IS THAT USG SEE THIS AS A PROBLEM OF ECONOMICS RATHER THAN OF LAW BREAKING, THAT WE HAVE CONSULTED WITH GOM AND WILL WORK WITH THEM IN SEEKING SOLUTIONS. FOLLOWING QUESTIONS AND ANSWERS ON PRESIDENT'S PROPOSALS WERE PROVIDED BY THE WHITE HOUSE PRESS OFFICE:

3. EMPLOYER SANCTIONS

Q: WHAT TYPE OF DOCUMENTATION DO YOU PROPOSE THAT EMPLOYERS REQUIRE OF ALIENS THEY PLAN TO HIRE?

A: THE ATTORNEY GENERAL WILL ESTABLISH A LIST OF PERMISSIBLE IDENTIFICATION DOCUMENTS, FOR EXAMPLE: SOCIAL SECURITY CARD, BIRTH CERTIFICATE OR IMMIGRATION DOCUMENT.

Q: SECRETARY MARSHALL IS ON RECORD AS FAVORING A SECURE WORK CARD AS PART OF THE UNDOCUMENTED ALIEN PACKAGE. WHY IS NO SUCH CARD INCLUDED IN THIS PROPOSAL?

A: THE JUDGMENT WAS THAT THE ENORMOUS FINANCIAL AND CIVIL LIBERTIES COSTS OF CREATING SUCH A CARD OUTWEIGHED ITS POTENTIAL BENEFITS AT THIS TIME.

Q: WHY IMPOSE CRIMINAL PENALTIES ON PEOPLE WHO RECEIVE COMPENSATION FOR KNOWINGLY ASSISTING AN UNDOCUMENTED ALIEN IN OBTAINING OR RETAINING EMPLOYMENT?

A: THIS IS AIMED AT PERSONS WHO KNOWINGLY "BROKER" JOBS FOR UNDOCUMENTED ALIENS AND IS MEANT TO MAKE IT EASIER TO PROSECUTE THOSE WHO ACT AS AGENTS FOR SMUGGLERS. IT ALSO IS AIMED AT INDIVIDUALS IN SUPERVISORY POSITIONS WHO SOME-
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TIMES THREATEN TO REPORT UNDOCUMENTED ALIENS UNLESS THEY ARE GIVEN A FEE FROM EVERY PAYCHECK.

4. BORDER ENFORCEMENT

Q: WHY IS SUCH STRONG STRESS BEING PLACED ON BORDER ENFORCEMENT?

A: ALTHOUGH STATISTICS ARE DIFFICULT TO COME BY, IT IS RELIABLY ESTIMATED THAT AN OVERWHELMING MAJORITY OF THE UNDOCUMENTED ALIENS IN THE UNITED STATES HAVE COME HERE VIA CROSSINGS ON THE SOUTHWEST BORDER.

Q: IN FISCAL YEAR 1976, SOME 1,700 OF THE IMMIGRATION AND NATURALIZATION SERVICE'S 2,000 OFFICERS WERE LOCATED IN THE SOUTHWEST BORDER AREA. ISN'T THAT ENOUGH?

A: NO. THE NUMBERS LOOK IMPRESSIVE, BUT WHEN THESE MEN ARE STRETCHED OUT OVER A LONG BORDER AREA IT COMES DOWN TO 200 MEN PER SHIFT OR ONE PATROLMAN PER EVERY 10 MILES.

5. ADJUSTMENT OF STATUS

Q: COULD PERSONS WHO ARE GRANTED TEMPORARY RESIDENT ALIEN

STATUS RE-ENTER THE UNITED STATES IF THEY DEPART DURING THE FIVE-YEAR PERIOD?

A: YES. THEY WILL BE BOUND BY THE SAME RE-ENTRY GOVERNING TRAVEL BY PERMANENT RESIDENT ALIENS.

Q: WHAT IS THE INCENTIVE FOR AN UNDOCUMENTED ALIEN TO STEP FORWARD AND REGISTER?

A: FIRST, THOSE WHO REGISTER WILL BE ISSUED IMMIGRATION DOCUMENTS WHICH WILL PERMIT THEM OT WORK.

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IN ADDITION, THOSE WHO ENTERED BEFORE 1970 WOULD BE GRANTED THE PRIVILEGES OF PERMANENT RESIDENT ALIEN STATUS AND WOULD EVENTUALLY BE ELIGIBLE FOR CITIZENSHIP.

THOSE WHO ENTERED AFTER 1970, BUT BEFORE 1977, WOULD GAIN THE PROTECTION OF WAGE AND HOUR REGULATIONS; WHEN THESE ARE COMBINED WITH SANCTIONS AGAINST EMPLOYERS FOR HIRING UNDOCUMENTED PERSONS EXPLOITATION OF WORKERS BECOMES LESS LIKELY.

Q: WHY WAS THE DATE JANUARY 1, 1977 CHOSEN FOR THE NEW NON-DEPORTABLE STATUS?

A: WE NEEDED A DATE WHICH PRECEDED THE ANNOUNCEMENT OF THE POLICY SO AS NOT TO ENCOURAGE ADDITIONAL ENTRIES.

Q: WHY WAS THE DATE JANUARY 1, 1970 CHOSEN FOR THE UP-DATE OF THE REGISTRY?

A: MOST OF THOSE WHO HAVE BEEN HERE FOR SUCH A SUBSTANTIAL LENGTH OF TIME HAVE BUILT UP EQUITIES, HAVE JOBS, AND HAVE ESTABLISHED A HOME AND COMMUNITY TIES.

Q: HOW DO YOU PROPOSE THAT UNDOCUMENTED WORKERS PROVE THAT THEY HAVE BEEN IN THIS COUNTRY SEVEN YEARS?

A: UNDER CURRENT IMMIGRATION LAWS, CERTAIN PEOPLE ARE ALREADY ELIGIBLE TO APPLY FOR ADJUSTMENT OF STATUS. THE IMMIGRATION AND NATURALIZATION SERVICE ALREADY HAS ESTABLISHED PROCEDURES WHICH MUST BE FOLLOWED. ACCORDINGLY RESIDENCE WILL BE ESTABLISHED THROUGH THE USE OF DOCUMENTS SUCH AS EMPLOYER AFFIDAVITS, RENT RECEIPTS, PAYROLL SLIPS,

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CANCELLED CHECKS, BILLS AND OTHER RECORDS.

IT IS TRUE THAT IT IS OFTEN HARD TO PRODUCE THESE DOCUMENTS, ESPECIALLY IF ONE HAS WORKED FOR MANY EMPLOYERS AND HAS USED ASSUMED NAMES. BUT, THE IMMIGRATION AND NATURALIZATION SERVICE DEALS WITH THIS SITUATION ON A DAILY BASIS, AND IS FLEXIBLE ENOUGH TO EVALUATE VARIOUS KINDS OF PROOF.

Q: PRESENTLY, EACH COUNTRY IS PERMITTED A QUOTA OF 20,000 LEGAL IMMIGRANTS TO THE UNITED STATES PER YEAR. HOW WILL THESE QUOTAS BE AFFECTED BY THE ADJUSTMENT OF STATUS?

A: THE ADJUSTMENT OF STATUS WILL NOT AFFECT THE QUOTAS. EVERYONE WHO IS ENTITLED TO ADJUSTMENT OF STATUS WILL BE ADJUSTED, REGARDLESS OF HIS COUNTRY OF ORIGIN.

Q: THERE ARE REPORTS THAT ALIENS ARE ENTERING THE COUNTRY IN INCREASING NUMBERS IN ORDER TO BENEFIT FROM THE ADJUSTMENT OF STATUS. HOW DOES THE POLICY AFFECT THESE PEOPLE?

A: ANYONE WHO ENTERED THE COUNTRY ILLEGALLY AFTER JANUARY 1, 1977 WILL BE DEPORTED UPON APPREHENSION. THOSE WHO ENTERED WITHOUT INSPECTION ARE ALSO SUBJECT TO CRIMINAL PENALTIES FOR ILLEGAL ENTRY.

6. FOREIGN POLICY

Q: HOW MUCH AND WHAT KIND OF ASSISTANCE ARE YOU EXTENDING TO EACH OF THESE COUNTRIES -- AND FOR WHAT PURPOSES?

A: THIS WILL BE DECIDED ONLY AFTER ONGOING CONSULTATIONS WITH EACH OF THE COUNTRIES INVOLVED. EACH OF THEM HAS UNCLASSIFIED UNCLASSIFIED

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A SOMEWHAT DIFFERENT DOMESTIC ECONOMIC SITUATION.

Q: HAVE MEXICO AND OTHER MAJOR SOURCE COUNTRIES BEEN CONSULTED ABOUT YOUR PROPOSALS? IF SO, WHAT WAS THEIR REACTION? HAVE THEY OPPOSED THE PLAN? THE PRESIDENT OF MEXICO HAS BEEN QUOTED PUBLICLY AS SAYING THAT THE PROBLEM IS A U.S. PROBLEM. HOW THEN CAN WE EXPECT THE COOPERATION OF MEXICO AND OTHER COUNTRIES IN BORDER ENFORCEMENT WHEN THEY CLEARLY DO NOT SEE IT AS IN THEIR INTEREST?

A: THE GOVERNMENTS OF MEXICO AND OTHER SOURCE COUNTRIES HAVE BEEN ADVISED OF THIS PROGRAM. UNDOCUMENTED ALIENS COME HERE FROM A NUMBER OF COUNTRIES, MOST OF THEM HIGHLY

VALUED FRIENDS AND ALLIES OF THE U.S. THE GREAT IMPORTANCE OF COUNTINUED WARM AND FRIENDLY RELATIONS WITH THOSE SOURCE NATIONS HAS BEEN GIVEN FULL CONSIDERATION IN DEVELOPMENT OF THIS PROGRAM. THE GOVERNMENTS CONSULTED HAVE INDICATED THEIR UNDERSTANDING OF THE PROBLEMS CAUSED BY UNDOCUMENTED ALIENS; AND THEY HAVE EXPRESSED A DESIRE TO BE COOPERATIVE.

7. TEMPORARY WORKERS

Q: WILL THE REVIEW OF THE TEMPORARY WORKERS PROGRAM RESULT IN A NEW BRACERO PROGRAM?

A: NO. THE PRESIDENT HAS STATED UNEQUIVOCALLY THAT HE IS NOT CONSIDERING A REINTRODUCTION OF A BRACERO-TYPE PROGRAM FOR THE IMPORTATION OF TEMPORARY WORKERS.

8. ADDITIONAL BACKGROUND ON UNDOCUMENTED ALIENS
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Q: HOW MANY UNDOCUMENTED ALIENS ARE THERE IN THE UNITED STATES?

A: ESTIMATES RANGE FROM 2 TO 12 MILLION, THESE ARE EDUCATED GUESSES AT BEST. THESE FIGURES ARE BASED ON APPREHENSION STATISTICS; LAST YEAR NEARLY 900,000 UNDOCUMENTED ALIENS WERE APPREHENDED AND DEPORTED.

Q: WHAT IS THE CORRECT TERMINOLOGY FOR THESE PERSONS?

A: THE MOST COMMONLY USED ONE IS ILLEGAL ALIENS. THE ANNOUNCED POLICY USES UNDOCUMENTED ALIENS BECAUSE OF SENSITIVITY TO CRIMINAL CONNOTATIONS THAT SOME PEOPLE ASSOCIATE WITH THE TERM ILLEGAL ALIENS. OTHER TERMS USED INCLUDE ILLEGAL IMMIGRANT, VISA ABUSER, UNDOCUMENTED WORKER, CLANDESTINE MIGRANT, UNAUTHORIZED WORKER.

Q: WHAT ARE THE UNDOCUMENTED ALIENS LIKE?

A: GENERALIZATIONS ARE DIFFICULT AND, AGAIN, THE LACK OF ACCURATE DATA MAKES THIS QUESTION DIFFICULT TO ANSWER. IT IS FURTHER COMPLICATED BY THE FACT THAT THE UNITED STATES HAS TWO BROAD CATEGORIES OF UNDOCUMENTED ALIENS -- THOSE WHO CROSS IN GREAT NUMBERS OVER THE BORDERS IN THE SOUTHWEST, AND THOSE WHO COME FROM OTHER COUNTRIES BY OTHER MEANS. THE VAST MAJORITY OF UNDOCUMENTED ALIENS IN THE UNITED STATES COME FROM MEXICO AND WHAT INFORMATION WE HAVE INDICATES THE FOLLOWING CHARACTERISTICS OF THE

AVERAGE ALIEN: A YOUNG ADULT (MOST ARE MALES), BADLY

EDUCATED, PRIMARILY A FARMWORKER FROM RURAL AREA,
ECONOMICALLY MOTIVATED, EMPLOYED AT OR NEAR THE BOTTOM
OF THE U.S. LABOR MARKET, AND INCLINED TO SEND A MAJOR
PORTION OF EARNINGS TO DEPENDENTS IN HIS OR HER HOMELAND,
OUTSIDE THE U.S. THE TYPICAL MEXICAN WORKER COMES FOR
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SHORT PERIODS OF TIME, UP TO 6 MONTHS AT A TIME.

Q: BESIDES MEXICO, WHAT ARE THE COUNTRIES WHERE UNDOCU-
MENTED ALIENS ORIGINATE?

A: THERE ARE UNDOCUMENTED ALIENS HERE FROM NEARLY EVERY
COUNTRY IN THE WORLD. IT IS BELIEVED THAT AT LEAST 60
COUNTRIES ARE SIGNIFICANT REGULAR "SOURCE" COUNTRIES,
SOME OF THE LARGEST OUTSIDE OF MEXICO BEING THE DOMINICAN
REPUBLIC, HAITI, JAMAICA, GUATEMALA, COLOMBIA, PERU,
ECUADOR, PHILIPPINES, KOREA, THAILAND, GREECE, INDIA,
IRAN, AND NIGERIA.

Q: WHAT ARE THE MAIN CAUSES FOR THESE LARGE IMMIGRATIONS
OF UNDOCUMENTED ALIENS?

A: GENERALLY, MOST UNDOCUMENTED ALIENS COME FROM
COUNTRIES WITH RAPID ECONOMIC EXPANSION, A HIGH POPULATION
GROWTH RATE AND CLOSE LINKS WITH THE UNITED STATES. THESE
FACTORS COMPRISE THE SO-CALLED "PUSH" FACTOR, OR INCENTIVE
FOR PERSONS TO LEAVE.

SECOND, THEY COME TO THE UNITED STATES BECAUSE OF AVAIL-
ABLE JOBS AND THE LOW RISK OF DETECTION. THIS IS THE
"PULL" FACTOR. ALSO, IT IS BELIEVED THAT EMPLOYER
WILLINGNESS TO HIRE UNDOCUMENTED ALIENS IS A CAUSE.

IT IS CHARGED THAT UNDOCUMENTED ALIENS DRAIN OUR TAX
DOLLARS THROUGH SOCIAL SERVICES.

A: THIS CHARGE IS DIFFICULT TO DOCUMENT. UNDOCUMENTED
ALIENS ARE EXCLUDED FROM COVERAGE UNDER THREE MAJOR
PUBLIC ASSISTANCE PROGRAMS BY LAW. THESE ARE THE SUPPLE-
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MENTAL SECURITY INCOME FOR THE AGED, BLIND AND DISABLED,
AID TO FAMILIES WITH DEPENDENT CHILDREN, AND MEDICAID.
MOST PUBLIC ASSISTANCE PROGRAMS ARE REQUIRED BY REGULATION
TO HAVE A SCREENING PROCESS FOR CITIZENSHIP STATUS. THIS,
PLUS THE FACT THAT UNDOCUMENTED ALIENS TEND TO SHY FROM
EXPOSURE AND GOVERNMENT IDENTIFICATION, BASICALLY MEANS

THEY ARE NOT NOW A MAJOR DRAIN ON PUBLIC ASSISTANCE
PROGRAMS PAID FOR BY TAXPAYERS.
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